REMARKS

Claims 1–8, 11–20, 25–27 and 31–33 are pending in the present application.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 103 (Obviousness)

Claims 1–3, 5–6, 8, 14–17, 20, 25–26 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,982,979 to *Omata et al* in view of U.S. Patent No. 5,933,569 to *Sawabe et al*, U.S. Patent No. 6,128,597 to *Kolluru* and U.S. Patent No. 5,982,459 to *Fandrianto et al*. Claims 4, 19 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Omata et al* in view of *Sawabe et al*, *Kolluru* and *Fandrianto et al*, and further in view of U.S. Patent No. 5,999,698 to *Nakai et al*. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Omata et al* in view of *Sawabe et al*, *Kolluru* and *Fandrianto et al*, and further in view of U.S. Patent No. 5,825,884 to *Zdepski et al*. Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Omata et al* in view of *Sawabe et al*, *Kolluru* and *Fandrianto et al*, and further in view of U.S. Patent No. 5,987,417 to *Heo et al*. Claims 12–13 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Omata et al* in view of *Sawabe et al*, *Kolluru*, *Fandrianto et al* and *Heo et al*, and further in view of *Zdepski et al*. Claims 18 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Omata et al* in view of *Sawabe et al*, *Kolluru* and *Fandrianto et al*, and further in view of U.S. Patent No. 5,642,171 to *Baumgartner et al*. These rejections are respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-133 (8th ed. rev. 3 August 2005). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.*

To establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Amended independent claims 1 and 25 each recite a reprogrammable proxy filter converting component data streams into at least one renderable audio signal and at least two renderable video signals (e.g., sub-picture and video), and adapted to programmably operate on video data coded according to any one of a plurality of video data coding standards and separately on audio data coded according to any one of a plurality of audio data coding standards. Similarly, amended independent claim 20 recites an audio filter adapted to programmably operate on audio data coded according to any one of a plurality of audio data coding standards and a video filter adapted to programmably operate on video data coded according to any one of a plurality of video data coding standards

separately of an audio data coding standard currently employed by the audio filter. Proxy filter 328 in the exemplary embodiment is "reprogrammable" to accommodate any combination of any one of MPEG-1, MPEG-2 and MPEG-4 video data with any one of AC-3, MPEG or PCM audio data. Such a feature is not found in the cited references. As conceded in the Office Action, *Omata et al* does not teach or suggest a reprogrammable proxy filter. Moreover, the buffers 87–94 and decoders 88–95 within the cited portion of *Sawabe et al* are not described as reprogrammable to operate on data coded according to different audio or video standards in any manner. While different-language streams may be selected by stream selection signal Slc from system controller 100 to demultiplexer 86, such stream selection merely affects the source of the data rendered by decoders 88–95 and involves no programming or reprogramming of decoders 88-95, which operates on the received data stream in the same manner (using the same coding standard) regardless of the source. To the extent that *Kolluru* teaches a filter reprogrammable for different combined audio and video standards or different video standards and *Fandrianto et al* teaches a filter reprogrammable for different audio only standards as asserted in the Office Action, nothing in the cited references provides: (a) a motivation for implementing separate reprogrammable filters for the audio and the video, such that different standards may be selected for the audio and for the video even when combined audio and video standards are involved; and (b) a reasonable expectation of success in substituting the distinct filters of *Kolluru* and *Fandrianto et al* for structures within *Omata et al* and/or *Sawabe et al*, while maintaining operability.

Therefore, the rejection of claims 1–8, 11–20, 25–27 and 31–33 under 35 U.S.C. § 103 has been overcome.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ***dvenglarik@davismunck.com***.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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